

### **REMARKS/ARGUMENTS**

Claims 1-23 remain in the application for further prosecution. Claims 1, 4, 12, 17 and 22 have been amended. Applicant has added new claim 23.

The Examiner has objected to the abstract. Applicant has amended the abstract in accordance to the Examiner's suggestion.

The Examiner has objected to claims 1, 12 and 22. Applicant has amended these claims to replace the term "on" with the term "in" as per the Examiner's suggestions. Applicant has amended claim 22 to include the statutory term "computer readable medium." Applicant respectfully requests withdrawal of these objections.

#### **Claim Rejections - 35 U.S.C. § 112**

Claims 4 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 4 has been objected to because the "indicia" element is indefinite. Applicant has amended claim 4 to indicate that "indicia" refers to the indicia associated with the selected objects. Claim 17 has been object to because "awards" lacks antecedent basis. According to the Examiner's suggestion, Applicant has amended claim 17 to replace "awards" with the proper term, "indicia." Applicant respectfully submits that claims 4 and 17 now meet the requirements of 35 U.S.C. 112.

#### **Claim Rejections - 35 U.S.C. § 102**

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,786,819 B2 (Baerlocher et al), herein "Baerlocher." The present claims relate generally to a method or system of conducting a wagering game which displays a plurality of selectable objects

in a first display image. The player may select one or more of the selectable objects. The first display image is a particular environment such as a picnic campground as shown in Figs. 5-6 and the objects are part of that environment i.e. a picnic basket, a tent, a thermos, etc. One or more indicia associated with the selected objects are then revealed. A second display image as shown in Fig. 7 is provided to reveal one or more indicia associated with the unselected objects of the selectable objects to show a player what other potential selections had been ignored. The second display image is distinct from the first display image and replaces the first display image in whole or in part. For example, the second display image in Fig. 7 is clearly not a campground environment and is designed to give a player a better visual indication of the selected objects and unselected objects as shown in Fig. 7. The second display image thus groups the selected objects in one region and groups the unselected objects in another region.

Baerlocher refers to a known selection type of bonus for a base game using a single display for the selected bonuses. Baerlocher is representative of the prior art in this area as explained in the background of the specification and is fundamentally different from the present invention. As shown in FIGs. 5A and 5B, the presentation of these indicia is very simple and ordered. The same display image is used for both revealing the selected indicia (FIG. 5B) and the unselected indicia (FIG. 5A). The display images are not distinct from each other and are not replaced because the indicia are exactly the same between FIGs. 5A and 5B. In fact, the selected and unselected indicia are in the same location in Figures 5A and 5B. Thus, a player is not presented with a second distinct display image showing the selected and unselected objects.

In order to further distinguish claims 1 and 12, Applicant has added the element, "distinct from the first image and replacing the first image in whole or in part" to the second display image. As explained above, Baerlocher does not teach nor disclose a second display image

distinct from the first display image as Figures 5A and 5B are identical. Further, Baerlocher does not disclose the second display image replacing or partially replacing the first display image. Applicant respectfully submits that claims 1 and 12 are allowable over Baerlocher. Claims 2-11 depend from claim 1 and claims 13-21 depend from Baerlocher and are similarly allowable.

Dependent claims 8 and 18 are independently allowable over Baerlocher. Claims 8 and 18 include the element of arranging the selected indicia in a group in the second display image. The Office Action cites Fig. 5A of Baerlocher as allegedly showing the indicia in a group. FIG. 5A shows the selected and unselected objects in the same sequence of the first image. Since the selected and unselected objects are in a random sequence in the line of possible selections (i.e., a mixture of selected and unselected objects) in FIG. 5A, the selected objects are not in a group. For example, the selected objects 116 and 106 are separated from each other in FIG. 5A.

Likewise, claims 9 and 19 are also independently allowable over Baerlocher. Claims 9 and 19 include the element that the second image provides "unselected objects with associated indicia as a group." As explained above, Fig. 5A of Baerlocher does not provide such a grouping because the selected and unselected objects and indicia are interlaced with each other in FIG. 5A.

#### **Claim Rejections - 35 U.S.C. § 103**

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baerlocher as applied to claim 1 above, and further in view of U.S. Patent No. 6,514,141 (Kaminkow et al), herein "Kaminkow." Claim 22 has been amended to add the element "distinct from the first image and replacing the first image in whole or in part" to the second display image. As explained above, neither Baerlocher nor Kaminkow discloses a distinct second display image or the replacing of some or part of the first display image. The combination of Kaminkow with Baerlocher would still not anticipate claim 22.

### **New Claim**

Applicant has added new claim 23 to further distinguish other aspects of the invention. Claim 23 presents the indicia in a first image and groups the selected indicia in one region of a second image and the unselected indicia in a second region of the second image. Claim 23 thus is allowable over Baerlocher because Baerlocher does not disclose display of the selected and unselected indicia in different regions of the second image. In fact, as shown in Figure 5A of Baerlocher, the selected and unselected indicia are in the same region and not separated as required by new claim 23.

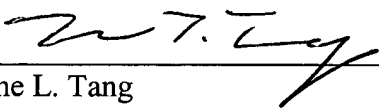
### **Conclusion**

It is Applicant's belief that all of the claims are now in condition for allowance and actions towards that effect is respectfully requested.

If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the number indicated.

Respectfully submitted,

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